

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**AMY PATERSON SANDIE,**

Plaintiff,

v.

No. 3:18-cv-01339-AC

**GEORGE FOX UNIVERSITY,** an Oregon  
Public Benefit Corporation,

OPINION AND ORDER

Defendant.

**MOSMAN, J.,**

On March 11, 2021, Magistrate Judge John V. Acosta issued his Findings and Recommendation (F. & R.) [ECF 53]. Judge Acosta recommended that I grant in part and deny in part Defendant George Fox University's Motion for Summary Judgment [ECF 31]. No objections were filed. Upon review, I agree with Judge Acosta.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of

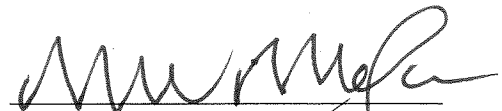
the magistrate judge as to those portions of the F. & R. to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F. & R. depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F. & R. 28 U.S.C. § 636(b)(1)(C).

### CONCLUSION

Upon review, I agree with Judge Acosta's recommendation, and I ADOPT the F. & R. [ECF 53] as my own opinion. I GRANT in part and DENY in part Defendant's Motion for Summary Judgment [ECF 31]. Defendant's motion is GRANTED as to Plaintiff's disability and negligence claims and DENIED as to Plaintiff's claims for breach of contract and breach of the covenant of good faith and fair dealing.

IT IS SO ORDERED.

DATED this 30<sup>th</sup> day of March, 2021.

  
MICHAEL W. MOSMAN  
United States District Judge